

Kenyon & Kenyon
One Broadway
New York, NY 10004

September 11, 2006

Mail Stop 16
 Director of the US Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

To Whom It May Concern,

I have been assigned to reconcile the USPTO's Deposit Account against Kenyon and Kenyon's records. Below are charges that are inconsistent with what we believe is true. I would respectfully ask that you reimburse Kenyon and Kenyon's Deposit Account 110600 for these fees listed below. If there is any other information you need, please feel free to contact me at jduffy@kenyon.com.

| | | | | | | | | |
|--------|----|---------|---------------|------|----------|-----|-----|--|
| 14-Jul | \$ | 8894378 | 08-02/04/7701 | 2752 | \$430.00 | JNO | 275 | This is a great entry, but we were charged for hours |
| 14-Jul | \$ | 8894378 | 08-02/04/7701 | 1871 | \$780.00 | JNO | 289 | This is a great entry, but we were charged for hours |

Thank You,

Judy Duffy
 Judy Duffy

\$11,240.00

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| | | | | | | | | |
|--------|----|----------|---------|------|----------|-----|--|----------------|
| 12-Jul | \$ | 50782332 | 1007/07 | 1591 | \$750.00 | JNO | | See 07-07 0117 |
|--------|----|----------|---------|------|----------|-----|--|----------------|

Thank You,

Judy Duffy
 Judy Duffy

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OTPE LAP38
JUL 12 2006
PATENT & TRADEMARK OFFICE

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Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|-------------------|
| Application Number | 09/854,568 |
| Filing Date | May 15, 2001 |
| First Named Inventor | S. BOGOCH |
| Art Unit | 1644 |
| Examiner Name | David A. Saunders |
| Attorney Docket Number | 9425/46702 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0600
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. 1.136 and 1.17) Two months
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|--------------------|-----------------------|-----------------------------------|---------------|
| Name (Print /Type) | Teresa A. Lavenue | Registration No. (Attorney/Agent) | 47,737 |
| Signature | <i>Teresa Lavenue</i> | Date | July 12, 2006 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

07/14/2006 MBYEN1 00000003 110600 09854568

| | | |
|--------------------|------------|-----------|
| Name (Print /Type) | 01 FC:1801 | 790.00 DA |
| Signature | | Date |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Adjustment date: 12/07/2006 SDIRET01
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01 FC:1801 790.00 CR

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12/07/2006 SDIRET01 00000010 110600 09854568
01 FC:2801 395.00 DA



UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/854,568
Applicants : S. BOGOCH
Filed : May 15, 2001
Title : METHODS AND COMPOSITIONS FOR STIMULATING THE IMMUNE SYSTEM

Confirmation No. : 8438
Art Unit : 1644
Examiner : David A. SAUNDERS
Docket No. : 9425/46702
Customer No. : 23838

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE
TO FINAL OFFICE ACTION WITH RCE UNDER 37 C.F.R. § 1.114

Dear Sir:

This is an Amendment filed with a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 and responds to the final Office Action mailed February 22, 2006. The RCE filed herewith is due by July 13, 2006 with a two-month extension, for which Applicants hereby petition. Please enter the amendments made herein prior to further prosecution. Applicants respectfully submit the claims as amended place the application in condition for allowance. The Commissioner is hereby authorized to charge the payment of any required fees, including the extension fee, to Kenyon & Kenyon LLP Deposit Account No. 11-0600.

Amendments to the Specification begin on page 2 of this paper

Amendments to the claims begin on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Adjustment date: 12/07/2006 SDIRETAL
07/14/2006 MBEYEN1 00000003 110600 09854568
02 FC:1252 450.00 CR

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02 FC:1252 450.00 DA

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12/07/2006 SDIRETAL 00000010 110600 09854568
02 FC:2252 225.00 DA